



# WEST VIRGINIA

## ALCOHOL BEVERAGE CONTROL ADMINISTRATION

FREDRIC L. WOOTON, COMMISSIONER

July 29, 2021

**VIA EMAIL to: [mlewis@wvsos.com](mailto:mlewis@wvsos.com)**

Mac Warner, The Honorable Secretary of State,  
Secretary of State's Office – Administrative Law  
Bldg. 1, Suite 157-K  
1900 Kanawha Blvd. East  
Charleston, WV 25305-0770

Re: West Virginia Code of State Rules  
– Administrative Notice for 175 CSR 4, specifically §6.6.b.

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

2021 JUL 29 A 11:13

FILED

Dear Secretary of State Warner:

The Honorable Governor of the State of West Virginia, Jim Justice, has declared a State of Emergency on March 16, 2020, to address the emergency created by the worldwide COVID-19 pandemic, or more commonly known as the novel coronavirus.

On March 18, 2020, the WVABCA in response to the Governor's Executive Order (EO) No. 2-20 issued on March 18, 2020, temporarily suspended the above-mentioned rule pursuant to the Governor's executive orders.

The West Virginia Alcohol Beverage Control Administration (WVABCA) temporarily waived certain fees and requirements with respect to permissible off-premises wine sales to facilitate wine sales for bars and restaurants closed for food, drink or occupancy of their licensed premises, other than picking up food or drink for only take-away orders. In 2021, the Governor and the Legislature passed HB 2025 which codified some new licenses and new requirements to assist licensees.

Furthermore, the Governor's EO 12-21 terminated as moot certain executive orders including, EO 2-20, among others. Thus, the WVABCA is terminating the temporary rule suspension for 175 CSR 4, specifically §6.6.b.

If you have any further questions, please feel free to contact the WVABCA at 304-356-5500 or toll free at 800-642-8202, or via email at the appropriate contact noted on the WVABCA's website ([www.abca.wv.gov](http://www.abca.wv.gov)).

Sincerely,

Fredric L. Wooton  
Commissioner